

City of Selah
Council Minutes
October 22, 2019

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

- A. Call to Order Mayor Raymond called the meeting to order at 5:30pm.
- B. Roll Call
- Members Present: Jacquie Matson; Jeremy Burke; John Tierney; Roger Bell; Diane Underwood
- Members Absent: Kevin Wickenhagen; Russell Carlson
- Staff Present: Rob Case, City Attorney; Dale Novobielski, Clerk/Treasurer; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Ty Jones, Public Works Utility Supervisor; Jeff Peters, Community Development Supervisor; Jeff Fortner, Building Inspector; Monica Lake, Executive Assistant

- C. Councilmember Absence – Motion to Excuse

Council Member Tierney moved, and Council Member Underwood seconded, to excuse Councilmembers Wickenhagen and Carlson. By voice vote, approval was unanimous.

- D. Pledge of Allegiance

Council Member Bell led the Pledge of Allegiance.

- E. Invocation

Pastor Scott Ruark gave the prayer.

- F. Agenda Changes **None**

- G. Public Appearances/Introductions/Presentations

1. Introduction of Jeff Fortner, Building Inspector

Community Development Supervisor Peters approached the podium and addressed Council. He introduced Jeff Fortner, the new building inspector, saying that he was one of two finalists but showed a little more knowledge of building codes and inspection practices as well as already having his plumber's license. He said that Mr. Fortner had been working for the City approximately five weeks, with Building Inspector Brons and also doing some building inspections by himself as of last week.

Jeff Fortner approached the podium and addressed Council. He said that he moved to Selah in 1998, graduated in 2004, and had been in plumbing for thirteen years with GBC plumbing, a local company.

The Mayor and Council welcomed him.

H. Getting To Know Our Businesses **None**

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Scott Ruark approached the podium and addressed Council. He expressed his thanks, saying that they live in an incredible city, and he can't think of a better place to be. He thanked the civil servants and community members at the meeting, saying that the community is blessed by the good work done.

Whitney Johnson, 101 Highland Court, approached the podium and addressed Council. She stated that she was an adjacent property owner to the Graf Development project on Crusher Canyon, and that she had some concerns regarding the impact of a high density development on the neighborhood aesthetic, property values and local traffic. She said that she understood from the September 24, 2019 minutes that preliminary drawings had been seen by the City Administrator that indicate it would likely be more moderate density, which she hoped would be the case, and that she wanted to bring her concerns to Council to ask them to consider them with regard to the development.

Jeremy Johnson, 101 Highland Court, approached the podium and addressed Council. He noted that, as his wife said, they live right beside the construction. He said that he sent an email to the city council email account and wondered if it had been received by any Council Members.

Council Member Underwood inquired when he sent it.

Mr. Johnson replied that he thought it was the day after the last meeting.

Council Member Burke said he hadn't seen it.

Mayor Raymond asked Mr. Johnson if he would like to resend it.

Mr. Johnson declined, opting instead to read aloud his email that followed up on what he had spoken about the previous Council Meeting. He asked that it be noted that as of today they had yet to submit plans for the development.

Council Member Matson commented that the email was forwarded to them.

City Administrator Wayman requested that Community Development Supervisor Peters provide an update on the development.

Community Development Supervisor Peters said that as of the date of Mr. Johnson's email Graf Development had not submitted any building plans, but they were in the process of submitting their application, with pieces already submitted. He went on to say that as of two weeks ago they did submit their complete application for environmental review, a land use application and a request for administrative adjustment, and that as of Thursday last week his department had sent a letter back stating that their application was received and considered complete for processing. He added that they requested additional information for a traffic study on the proposed development, and that the application was available at the Planning Department for the public to review, although any request for copies would need to be done through a public records request. He finished by saying that it won't be sent out for public comment until they receive the completed traffic study or the applicant intends to proceed with the environmental review, and he was waiting to hear back from Graf Development on that.

Seeing no one else rise to speak, Mayor Raymond closed the meeting.

2. Written

a. September 2019 Code Enforcement Report

J. Proclamations/Announcements **None**

K. Consent Agenda

Council Member Bell moved, and Council Member Matson seconded, to added Resolution N – 1 to the Consent Agenda. By voice vote, approval was unanimous.

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

* 1. Approval of Minutes: October 8, 2019 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83072 – 83154 for a total of \$246,446.65

Claim Checks Nos. 73817 – 73890 for a total of \$539,674.17

* 3. Resolution N – 1: Resolution authorizing the Mayor to sign the 2019 Yakima County Comprehensive Emergency Management Plan and adopt the National Incident Management Plan

Council Member Tierney moved, and Council Member Matson seconded, approval of the amended Consent Agenda as read. By voice vote, approval was unanimous.

Jason Clapp, Yakima Valley Office of Emergency Management, approached the podium and addressed Council. He said that he was there to talk about the Comprehensive Emergency Management Plan, which they are required to update every five years per Washington State regulations. He referred Council

to handouts that were provided, page two of which provided information on what the plan itself, which outlines how cities, towns, and counties work together with local, Federal and Tribal jurisdictions for life safety and breaks the basic plan down into emergency support functions.

Council Member Tierney asked about the impact the plan has with regard to Yakama Indian Reservation authorities and allowing them to take over all authority over Tribal members on the Reservation.

Mr. Clapp responded that the Tribal authority has their own territory and that although his team did work with them, in their jurisdiction they'd have the response and his team would provide assistance. He added that they don't have jurisdiction in their territory but collaborate with them.

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| L. | Public Hearings | None |
| M. | General Business | |
| | 1. New Business | None |
| | 2. Old Business | None |
| N. | Resolutions | |
| | * 1. Resolution authorizing the Mayor to sign the 2019 Yakima County Comprehensive Emergency Management Plan and adopt the National Incident Management Plan | |
| | 2. Resolution authorizing the Mayor to sign an Industrial Wastewater User Contract with Tree Top Inc. | |

Public Works Director Henne addressed N – 2. He gave a brief history of the discussions earlier this year with regard to Tree Top’s ability to treat their wastewater and some odors that came from that, noting that Chris Cary from Tree Top was in the audience to answer any questions. He went on to say that they updated the existing contract to allow the City to access the location that would hold a meter and a sampling station, discussed increases in discharged BPM from eighty thousand to a possible one hundred fifty thousand, looked at EODs and total system solids, set some time periods that the City didn’t want to see those flows, and specified where the discharge came from. He said that Tree Top agreed to the conditions and were ready to sign if Council approves.

Council Member Matson questioned who would pay for the testing, referring to text removed in paragraph 2.4.

Public Works Director Henne responded that the City would pay for that, their personnel would collect samples and do them through their lab.

Council Member Matson inquired if they could also charge for those costs.

Public Works Director Henne answered in the affirmative.

Council Member Matson wondered about the impact.

Public Works Director Henne replied that it wasn't an issue for them.

Council Member Burke asked if the City Attorney reviewed the contract.

Public Works Director Henne responded that he was asked to.

City Attorney Case stated that a copy was forwarded to him.

Council Member Burke wondered if it had always been the case that they don't see each other's test results, as he felt it a concern if both entities test differently.

Public Works Director Henne answered that they test on a different format than the City, but they share data when testing is done.

City Attorney Case remarked that his understanding was that the two results were somewhat apples and oranges.

Council Member Tierney read aloud an excerpt from section 3.3, expressing his concern that it doesn't establish a date to conduct the review prior to budget time, and that he felt it would be in the City's best interest for them and Tree Top to establish a date that says they would do the review in such and such month of the year.

Public Works Director Henne replied that there's an inflation factor that Clerk/Treasurer Novobielski calculates every year, which is also part of the annual review when they do rates, typically in November.

Council Member Tierney asked if they had always done this.

Public Works Director Henne responded in the affirmative.

Council Member Tierney opined that it would be nice when they receive a contract like this to have the City Attorney's signature at the bottom to show he has reviewed it, noting that Clerk/Treasurer Novobielski signs it but he doesn't have the legal experience that the City Attorney does.

Public Works Director Henne replied that they could add a line for him to sign.

Council Member Burke wondered if there had been any discussion regarding the long term impact and future growth of the City.

Public Works Director Henne answered that they had looked at the impact to the lift station and were able to accommodate it, noting that was why the limited amounts during specific times.

City Administrator Wayman noted that it was reviewed by himself and the Mayor.

Council Member Burke recalled a previous conversation where they discussed that sewer capacity would reach a point of concern and wondered if he could give them a percent of impact with the additional wastewater.

Public Works Director Henne responded that they could treat two million per day, are currently at one point two million, and that the addition won't even get them to one point three million.

City Administrator Wayman commented that they aren't even close to the point of concern.

Council Member Burke moved to approve the Resolution authorizing the Mayor to sign an Industrial Wastewater User Contract with Tree Top Inc.

Council Member Tierney suggested an amendment to his motion to include adding a line for the City Attorney's signature on the contract.

Council Member Burke amended his motion to include the addition of a signatory line for City Attorney Case on the contract.

Council Member Bell questioned the last sentence of Schedule A, wondering why total suspended solids wouldn't also be a limiting factor.

Public Works Director Henne responded that he would guess they aren't as critical as BOD, adding that their discharge permit limits solids for them, but he would talk with their consultant about whether to add them to the statement.

Chris Cary, Tree Top, approached the podium and addressed Council. He introduced himself, saying that he's the environmental systems building manager for Tree Top. He said that they've had a contract in place for a long time, and that he believes that the reason BOD is listed is that they have very low suspended solids for making apple juice and apple sauce, but BOD is a main concern at the treatment plant. He added that they would have no issue with adding suspended solids as a limiting factor as well.

Council Member Tierney seconded the motion to approve the Resolution authorizing the Mayor to sign an Industrial Wastewater User Contract with Tree Top Inc., with the addition of a line for the City Attorney's signature on the contract. Roll was called: Council Member Matson – yes; Council Member Burke – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes. By voice vote, approval was unanimous.

O. Ordinances None

P. Public Appearances None

Q. Reports/Announcements

1. Departments

Police Chief Hayes had no report.

City Administrator Wayman stated that Fire Chief Hanna was out sick and had no report.

Community Development Supervisor Peters said that they've already talked about the Graf development, but one thing he didn't mention was that while they deemed it complete, once his department gets approval from the property owner to proceed with the environmental review that would trigger notice to property owners within six hundred feet and all environmental agencies.

City Administrator Wayman asked if he remembered how many units they were talking about.

Community Development Supervisor Peters answered that he did not.

City Administrator Wayman wondered if he knew the approximate density of the project.

Community Development Supervisor Peters responded that he did not at the present time, but it was far less than the original proposal done in the 1980s. He spoke briefly about other items he had been working on, such as the City sign ordinance sent to City Attorney Case for legal review, which would then be taken to business owners and the public before coming to Council for approval; a public hearing that the Planning Commission held for a cell tower off Naches Avenue that would be presented to Council the second meeting in November; reviewing different permit processes and the last time zoning fees and development application fees were updated; figuring out the total amount of time it takes staff to go through the application process to aid in figuring out all the costs on a typical land use application so they could update the fee structure; and also working to get all inspections done and foundations in.

Public Works Director Henne said that they were getting ready for winter, with sixty tons of salt and six tons of deicer on hand and winterizing meters. He remarked that the Goodlander project was moving along; they were doing the wall along Carlon Park and had installed storm drain structures on the east end of the project.

Council Member Matson asked how he would compare the two different products for walls.

Public Works Director Henne answered that he doesn't believe it would be as easy to remove a section and put it back but it was quite a bit less money.

City Administrator Wayman requested that he talk about the Third Street project.

Public Works Director Henne responded that it wasn't a City project although it's a city street. He went on to say that a lot of property owners have been pretty gracious about their driveway access being severed, as the paving and sidewalk has not been on schedule due to delays again when pre-leveling, although they are stating that it would be paved out by Friday. He had no firm commitment on when concrete would be poured for sidewalks, as they have been given delays from the same contractor for Goodlander, and if they are unable to pour next Tuesday they will be told that they need to put in gravel for people to access their residences. He noted that the contractor has been pretty resistant to their requests for different things because they want to know who's paying for it.

City Administrator Wayman stated that he and the Mayor would follow through with Selah School District Superintendent Backlund to make sure they were clear on this.

Clerk/Treasurer Novobielski said that the October sales tax revenue report wasn't available yet but he would have the information at the next meeting. He commented that the 2020 budget meetings would start on November 6th in Council chambers, and Council had been provided their 2020 Budget binders.

City Administrator Wayman remarked that Council was presented with a balanced preliminary budget, and some of the highlight include adding an entry level police officer, promoting a firefighter to training lieutenant, replacing one patrol vehicle, resurfacing the tennis courts and replacing soccer balls, various equipment to be replaced for both Public Works and the Fire Department, and the projects to be completed or worked on. He noted that they were looking at three percent increases for both water and solid waste, eight percent for sewer, and that if any Council Members would like to see the sheet he would provide them with a copy.

Council Member Burke requested a copy of the sheet and asked if they had given proper notice for the 2020 budget meetings.

Clerk/Treasurer Novobielski responded that they are open public meetings.

Council Member Burke wondered if there was no issue.

Clerk/Treasurer Novobielski answered that there never has been and never should be.

City Attorney Case had no report.

2. Council Members

Council Member Matson said that they had a finance committee meeting last week, also she also attended a YVCOG meeting at Nana Kate's last week on the upcoming census, which she found to be a very interesting meeting.

Council Member Burke was happy to see that the business they had sold a strip of property to had promptly moved on the improvements for it. He brought up the prospect of moving both meetings to 5:30pm, saying that he had heard multiple complaints and questions about why they have meetings at two different times. He said that if it was a staff issue he would be happy to discuss the matter, adding that they have seen a lot of the public come in during the last month and a half and he feels that it's a lot to ask to have someone come in at 4pm when most people work until 5pm. He requested that they have discussion or a vote on it at the next 5:30pm meeting.

Council Member Tierney remarked that he would like to have the City ensure in future that all contracts are reviewed by the City Attorney and signed by him so we know all legalese is taken care of.

City Administrator Wayman asked if he wanted them initialed and approved to sign.

Council Member Tierney responded that he would like to know they have been reviewed.

City Administrator Wayman stated that all contracts are reviewed by the City Attorney.

Council Member Tierney requested that they at least have him initial it.

City Administrator Wayman commented that they could have him initial it.

Council Member Tierney observed that in the preliminary budget there was five hundred dollars allocated for improvements to Veterans Park, which he feels an inadequate number that should be substantially increased.

City Administrator Wayman replied that he believes they have a solution for that.

Council Member Bell had no report.

Council Member Underwood said that she attended the All Hands on Deck group meeting last night to raise funds for the pool, adding that there were a lot of dedicated and enthusiastic people committed to get the pool running next year.

Mayor Raymond inquired if this was a different group than SPRSA.

Council Member Underwood answered in the affirmative.

3. City Administrator

City Administrator Wayman talked briefly about a meeting he had earlier that day with Council Member Bell, Jamie Morford, and Michael Newman from Washington Cities Insurance Authority (WCIA), a potential future insurance provider, saying that this came about after Council directed him to seek proposals for City comprehensive insurance coverage due to the increase last year with the current provider. He went on to say that there would be a potential savings of ninety-three thousand by joining the pool of much lower risk cities, and that there would be a study session prior to the next Council Meeting, with the interlocal agreement on the agenda. He requested permission to hold a half hour study session prior to the 4pm meeting.

Council Member Underwood remarked that she would like to see the study session at 4pm with the regular meeting at 4:30pm.

Council Member Burke said he could do after the meeting if that works.

City Administrator Wayman replied that it either needs to be before or combined with deliberation.

Council Member Tierney was fine with a 4pm study session and 4:30pm meeting time.

City Administrator Wayman stated that they would have a study session at 4pm and the Council Meeting at 4:30pm. He remarked that the presumption of sales tax in the 2020 budget is much lower than what they expect due to construction, but as it's a one-time increase they opted not to factor it in. He said between that and the insurance savings there would be an opportunity for Council to spend money on

capital improvement projects or to save it for future capital improvement projects. He noted that his hope for the Veterans Park project is that most will be donated with some seed money from the City.

4. Boards **None**

5. Mayor


Mayor Raymond said that she had the honor of going out to the base earlier that day for the dedication of the Evan Mettie airstrip, which drew people from out of state and overseas, including eight guys from his platoon. She reminded everyone that Jurassic Parliament was putting on their event December 18 on how to have great meetings and recommended that Council Members attend it.

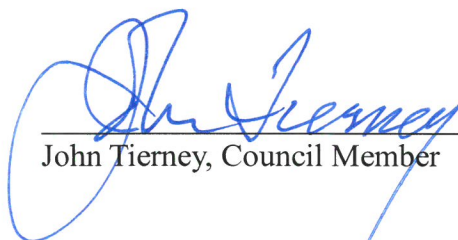
P. Executive Session **None**

Q. Adjournment

Council Member Tierney moved, and Council Member Burke seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

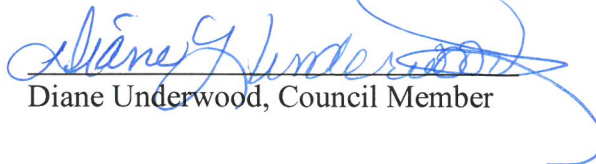
The meeting adjourned at 6:31pm.

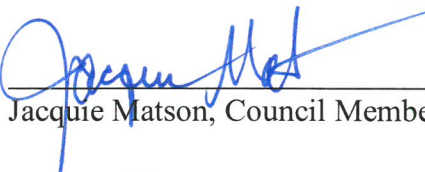

Sherry Raymond, Mayor


John Tierney, Council Member


Roger Bell, Council Member

EXCUSED
Russell Carlson, Council Member


Diane Underwood, Council Member


Jacquie Matson, Council Member

EXCUSED
Kevin Wickenhagen, Council Member


Jeremy Burke, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer